of the great State that gave it exist- Cranford, ence, and with the honor and good Crowley, name of which it is intimately con- Dean,

It occurs to your committee to sug- Goss. gest the propriety of placing the Uni- Greer, versity of Texas and all of its branches Imboden, under the management of one board of regents or directors instead of having a separate management for each one. Dickson, as is now the case. One comprehen- Hutchison, sive plan of management for all of Lewis, these noble institutions will bring Praye them into harmonious and concerted action and cement them in a unity of under their present system of government.

A board of management constituted and appointed as is the present board of university regents, with the Governor of the State, chief justice of the supreme court and superintendof public instruction to be ex-officio members, the Governor or and unity to the management of these rich summer. institutions that would be highly beneficial. The control of these institutions belongs to the State; it is responsible for their management, and this plan of management would bring them into close relations, and bind their interests inseparably together.

> E. L. AGNEW, W. M. IMBODEN, On part of Senate.
>
> JAMES W. TRUIT, J. I. MOODY. R. LEE RAGSDALE, On part of House.

The Chair announced that, as per resolution adopted this morning, the Senate stood adjourned till 10 o'clock Monday morning.

FORTY-SEVENTH DAY.

SENATE CHAMBER,

AUSTIN, TEXAS, March 6, 1893. Senate met pursuant to adjourn-

President Pro Tem. Kearby in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT-26.

Agnew, Jester. Atlee, Kearby, Baldwin, Lawhon, Boren, McComb. Bowser. McKinney. Browning, Presler,

Shelburne, Simpson, Steele, Tips, Douglass, Whitaker, Woods. Yoakum.

ABSENT-5.

Smith. Swayne.

Prayer by the chaplain, Dr. Briggs. as follows:

O Lord, our Father, we would go up purpose and interest that can not exist the shining way of praise and prayer and find audience with Thee in the heavens. Accept our praise and hear our prayer. We bless Thee that Thy promises touch all our life, and light up the most distant future. And we praise Thee that they find voice in everything about us. Even now Thy fingers are opening tender buds upon the hedgerow, and touching the earth Chief Justice to be president of the with spring sunshine-tokens that board would add dignity strength Thou wilt send safe and sure the full

O may this remind us that our whole life is a promise-every faculty like a white-robed prophet pointing with radiant finger to a golden day beyond the sunset that men call death. Teach us that this promise shall fail not; that every immortal hope and longing which it awakens shall find fruit in the eternal summer. And so may we labor with diligence, cheerfulness, hope and courage upon even the lowliest and most disappointing tasks, knowing that the Father keeps his word with us. And to Thy name be praise and glory now and always. Amen.

Pending the reading of the journal of yesterday,

On motion of Senator Whitaker, the reading of the same was suspended.

On motion of Senator Tips, Senotor Hutchison was excused from attendance on Senate till Wednesday morning next on account of important business.

On motion of Senator Boren, Senator Dickson was excused for to-day on account of important business.

On motion of Senator Shelburne, Senator Smith was excused for one week on account of important busi-

On motion of Senator Jester, Senator Swayne was excused indefinitely on account of important business.

On motion of Senator Imboden, Ass'stant Doorkeeper, Sapp, was excused for to-day on account of sickness.

On motion of Senator Browning,

on account of important business.

COMMITTEE REPORTS.

COMMITTEE ROOM, AUSTIN, TEXAS, March 6, 1893. Hon. M. M. Crane, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and com-

pared

Substitute Senate bills Nos. 36, 29,82, 126, 128, being "An act to divide the to regulate the practice of pharmacy State of Texas into six supremejudicial in the State of Texas, and providing districts, to provide for and establish a court of civil appeals in each of said ; districts, to prescribe the time of hold-. ing said courts, and to repeal all laws to the Senate with the recommenda-

And find the same correctly en-PRESLER, Chairman. grossed.

> COMMITTEE ROOM, AUSTIN, TEXAS, March 6, 1893.

Hon. M. M. Crane, President of the Senate: Your Committee on State Affairs,

to whom was referred

Senate bill No. 144, entitled "An act to define the kind of money which is a legal tender in the payment of debts contracted to be paid and that may be collected in the State of Texas, and to prevent discrimination in favor of either metal,

Have had the same under consideration, and instruct me to report it back to the Senate with the recommenda-

tion that it do not pass.

McKinney, Chairman.

COMMITTEE ROOM, AUSTIN, TEXAS, March 6, 1893. Hon. M. M. Crane, President of the Senate:

Your Committee on State Affairs, to

whom was referred

Senate bill No, 241, entitled "An act to extend the time within which lands that have been sold for taxes and bought in by the State, cities and towns may be redeemed."

Have had the same under consideration, and instruct me to report it back to the Senate with the recom-

mendation that it do pass.

McKinney, Chairman.

COMMITTEE ROOM, AUSTIN, TEXAS, March 6, 1893. Hon. M. M. Crane, President of the Senate:

Your Committee on State Affairs, to

whom was referred

Senate bill No. 230, entitled "An act authorizing the board of trustees of the public schools of the city of Austin to sell a block in the city of Austin known as the Academy block, etc.,"

Have had the same under consider.

Senator Lewis was excused for to-day; back to the Senate with the recommendation that it do pass.

McKinney, Chairman,

COMMITTEE ROOM,

AUSTIN, TEXAS, March 6, 1893. Hon, M. M. Crane, President of the Senate:

Your Committee on State Affairs

to whom was refeered

Senate bill No. 239, being "An act to amend sections 5, 6 and 16 of an act a penalty for the enforcement of the same,"

Have had the same under consideration that it do pass with amendment:

Amend by striking out the word "ptaracies" in section 16 and insert in lieu thereof the word "pharmacies." McKinney, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 4, 1893.

Hon. M. M Crane, President of the Senate:

Your Committee on Public Lands, to whom was referred

Senate bill No. 216, entitled "An act to authorize the Commissioner of the Genaral Land Office to issue patents on public free school, university and asylum lands in quantities of not less than one nor more than five acres as sites for school houses, churches and cemeteries,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

YOAKUM, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 6, 1893. Hon. M. M. Crane, President of the Senate:

Your Judiciary Committee No. 1, to

whom was referred

Senate bill No. 94, entitled "An act to regulate and limit the publication by authority of the State of the opinions of the supreme court, the courts of civil appeals and the supreme court of criminal appeals of the State of Texas,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recom-

menation that it do pass.

CRANFORD, Chairman.

COMMITTEE ROOM. AUSTIN, TEXAS, March 6, 1893.

Hon. M. M. Crane, President of the Senate: Your Judiciary Committee No. 1, to

whom was referred

Senate bill No. 218, entitled "An act ation, and instruct me to report it to amend article 2389, chapter 3, title

State of Texas,"

back to the Senate with the recommendation that it do pass.

CRANFORD, Chairman.

COMMITTEE ROOM, AUSTIN, TEXAS, March 4, 1893.

Hon. M. M. Crenc, President of the Senate and don. J. H. Cochran, Speaker of the House of Representatives:

We, your joint committee appointed to visit and examine the House of and additional pipes for sewerage. Correction and Reformatory at Gatesville, Texas, having performed that duty, beg leave to report as follows, viz:

First-We find that the management of said institution has been huthings as nearly satisfactory as the

maintenance would allow.

owned by the State in connection with this us itution is so limited in area that the management has been therefore commend them to the favorforced to rent adjoining lands at a able consideration of the Legislature. high rental rate, in order to provide work for the many inmates. This condition of affairs we consider objectionable, because it is false economy, and because it places the State in the attitude of a tenant. We therefore recommend that the State purchase at once enough additional land to successfully carry out the original plans of the institution.

Third. We find the buildings and facilities totally inadequate to meet even the present demands, and therefore recommend that a house of correction and reformatory for colored youths be established as soon as possible in a different portion of the State, and that thereafter the reformatory at Gatesville be used for whites;

only.

Fourth. We find in this institution many who had when admitted long since passed the age prescribed by law for admission thereto, who are hardened criminals, and whose influence over those of more tender years

is necessarily baneful.

We respectfully call the attention of our district judges and district and county attorneys to these facts and re- and to create the Forty-ninth judicial quest them to use their best efforts to prevent a repetition of these abuses. We also recommend that the law re garding the admission of convicts to this institution be so amended that

42, of the Revised Civil Statutes of the lished by full and satisfactory evidence that the defendant is not above Have had the same under consider- sixteen years of age before a judgment ation, and instruct me to report it sentencing him to this institution shall be entered

Fifth. We also recommend that the steam heating apparatus be put in good order, as it will be cheaper and better to use it; that the long horn milch cattle be sold and that blooded stock be purchased in their stead.

We also recommend the purchase of: (1.) Fixtures for seven water closets

- (2.) A feed-water for engine. (3.) A blacksmith's outfit.
- (4.) A tailor's outfit.
- (5.) A shoemaker's outfit. (6.) A broom-making outfit.

In this connection we call special atmane and economical, and in all tention to the fact that prisoners confined in this institution should be limited means appropriated for its taught additional useful trades.

Sixth. We have carefully consid-Second-We find that the land ered the recommendations of Superintendent McGuire, and consider them reasonable and just in the main, and

J. G. KEARBY, C. H. YOAKUM. Senate Committee. O. R. MORRISON, E. M. WEEKS, A. S. HAWKINS, House Committee.

COMMITTEE ROOM, AUSTIN, TEXAS, March 6, 1893. Hon. M. M. Crane, President of the Senate:

Your Committee on Eurolled Bills have carefully examined and com-

Senate bill No. 150, being "An act to amend section 2 of an act to amend an act approved March 25, 1889, being an act to amend an act to re-enact section 28 of an act to redistrict the State into judicial districts, and fix the time for holding court therein, and to provide for the election of judges and district attor-ney in said districts at the next genelection, to be held on eral first Tuesday after the first Monday in November, 1884, approved April 9, 1883; and to amend said section 28 of said act, approved February 26, 1885; district, to provide for the appointment and election of a district judge and district attorney therein, and to repeal all laws and parts of laws in conflict therewith, passed at the reguthe age of a defendant shall not be ad- lar session of the Twenty-second Legmitted by the attorney representing islature, being chapter 39 of the acts the State, but that it shall be estab- thereof,"

And find the same correctly en-! bills in numerical order as may be on rolled, and have on this day at 11:17 a. the President's table. m., presented the same to the Governor for his approval.

IMBODEN, Chairman.

COMMITTEE ROOM,

AUSTIN, TEXAS, March 6, 1893.

Hon. M. M. Crane, President of the Senate: Your Committee on Judicial Dis-

tricts, to whom was referred

House bill No. 564, entitled "An act to amend an act approved July 4, approved March 31, 1891, and to change the times of holding the district courts in the Second and Ninth judicial districts of the State of Texas, and to take Angelina county from the Ninth and attach it to the Second judicial discourts in said districts and to provide for the return of writs and process returnable the district courts of said counties affected by this act that have heretofore been issued by said courts, and that may hereafter be issued before this act takes effect, and made returnable to the terms of said court as now fixed by law, and to make the same as valid and binding as if no change had been made and to repeal all laws and parts of laws in conflict therewith,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommenda-

tiom that it do pass.

ATLEE, Chairman.

BILLS AND RESOLUTIONS.

By Senator Crowley, by request: A bill to be entitled "An act to

establish a naval battalion, to be attached to the Volunteer Guards of Texas," provided for in subdivision 2, article 3242, chapter 1, title 64, Revised Civil Statutes of Texas.

Read first time and referred to Com-

mittee on Military Affairs.

By Senator Whitaker:

Resolved, That whereas, there pever was any use or work for nine committee clerks for this body, and the work of the committees being comparatively light and constantly growing lighter, therefore, it is the seuse and will of this body, in a just and reasonable spirit of econemy, and in no spirit of parsimony, that five of said clerks be discharged at ouce.

On motion of Senator Imboden, this resolution was laid on the table sub-

ject to call.

By Senator Tips:

Resolved, That Wednesday, March Jester, 8, after the morning call, shall be set Jester, aside for the consideration of local!

On motion of Senator Imboden, the resolution was laid on the table subject to call.

The Chair announced the morning

call concluded.

Senator Boren moved to suspend the regular order of business and to take up House bil No. 564.

Carried.

The Chair then laid before the Sen-1887, and the amendatory act thereto ate House bill No. 564, entitled "An act to amend an act approved July 4, 1887, and the amendatory act thereto, approved March 31, 1891, and to change the time of holding the district courts in the Second and Ninth judicial districts of the trict, and to fix the time of holding | State of Texas, and to take Angelina county from the Ninth and attach all same to the Second judicial district, to and to fix the time of holding courts in said districts, and to provide for the return of all writs and process returnable to the district courts of said counties affected by act, this that have heretofore been issued by said courts and that may hereafter be issued before this act takes effect, and made returnable to the terms of said courts as now fixed by law, and to make the same as valid and binding as if no change had been made, and to repeal all laws and parts of laws in conflict therewith," on second reading.

Bill read second time.

By Senator Imboden:

Between the words "once" and "and," section 7, insert "and that this act take effect from and after its passage."

Adopted.

Bill passed to its third reading.

Senator Boren moved to suspend the constitutional rule requiring bills to be read on three several days and that the bill be put on its third reading and final passage.
Carried by the following vote:

YEAS-25.

Kearby, Agnew, Atlee, Lawhou, Baldwin, McComb. Boren. McKinney. Bowser, Presler, Browning, Shelburne, Crowley, Simpson, Dean, Steele, Douglass, Tips, Goss, Whitaker, Greer Woods, Imboden, Yoakum,

NAYS-none.

ABSENT-1.

Cranford.

EXCUSED-5.

Smith. Dickson, Hutchison. Swayne. Lewis,

Bill read third time and passed by

the following vote:

YEAS-26.

Jester, Agnew, Atlee. Kearby, Lawhon, Baldwin, McComb. Boren, McKinney, Bowser, Presler, Browning, Cranford, Shelburne, Simpson, Crowley, Dean, Steele, Douglass, Tips, Whitaker, Goss, Greer. Woods, Imboden, Yoakum.

NAYS-none.

EXCUSED-5.

Smith, Dickson, Swayne. Lewis, Hutchison,

Senator Cranford moved to suspend the regular order of business and take up Senate bill No. 104.

Carried.

The Chair then laid before the Senate, Senate bill No. 104, entitled "Au act for the relief of C. C. Dupree, sheriff and collector of taxes of Franklin county, Texas," on third reading.
The bill was read third time, and

passed by the following vote:

YEAS-21.

Jester, Atlee, Baldwin, Kearby, Bowser, Lawhon, Browning, McComb, Presler, Cranford, Crowley, Shelburne, Simpson, Dean. Whitaker, Douglass, Goss, Woods. Yoakum. Greer, Imboden,

NAYS-5.

Steele, Agnew, Boren, Tips. McKinney,

EXCUSED-5.

Smith, Dickson. Hutchison, Swayne.

The Chair gave notice of signing, and did sign

Senate bill No. 150, entitled "An act to amend section 2 of an act to amend

an act to re enact section 28 of an act to redistrict the State into judicial districts and fix the time for holding court therein, and to provide for the election of judges and district attorneys in said district at the next general election, to be held on the first Tuesday after the first Monday in November, 1884, approved April 9, 1883, and to amend said section 28 of said act, approved February 26, 1885, and to create the Forty-ninth judicial district, to provide for the ap-pointment and election of a district judge and district attorney therein, and to repeal all laws and parts of laws in conflict therewith, passed at the regular session of the Twenty-second Legislature, being chapter 39 of the acts thereof," after the caption of same had been read.
Senator Imboden called up Senator

Tips' resolution.

Resolution read and adopted.

The Chair then laid before the Senate, special order, Senate bill No.3, entitled "An act to provide for the establishment of an agricultural and mechanical college in North Texas."

Senator Douglass moved to lay the

bill on the table subject to call. Senator Yoakum moved the point of order that the bill was not properly before the Senate, not having been

Sustained.

The bill was then read with minority committee report.

On motion of Senator Yoakum, the reading of the minority committee report was suspended.

On motion of Senator McKinney the bill was laid on the table subject to

call.

Senator Yoakum moved to reconsider the vote by which the Goss substitute (five court bill) for Senate substitute bills Nos. 29, 36, 82, 126 and 128 was lost and the same was ordered spread on the journal,

On motion of Senator Presler, regu-

lar business was suspended and Senate bill No. 143, entitled "An act to provide for the payment by new counties of their proportionate share of the indebtedness of the older counties from which they were created," laid before the Senate on second reading.

Bill read second time with committee subtitute.

Substitute adopted.

The substitute read second time.

By Senator Yoakum:

Amend by adding the following proviso to section 1: Provided, that the an act approved March 25, 1889, being public buildings may be taken into account in ascertaining the value of the property in the parent county.

Lost.

By Senator Lawhon:

Amend section 3 by adding: That the taxes provided for in this section shall be levied and collected in the same manner and to the same extent that similar taxes are levied and collected in the parent county.

Lost.

By Senator Browning:

Strike out all in line 8, section 1, beginning with the word "either" down to and including the word "county" in line 10.

Lost by the following vote:

Baldwin, Kearby, Boren, Presler, Tips, Browning, Douglass, Greer, Woods.

Agnew, McComb,
Crowley, McKinney,
Dean, Shelburne,
Goss, Simpson,
Imboden, Steele,
Jester, Yoakum.

Atlee, ABSENT—2. Cranford. EXCUSED—7.

Dickson, Smith, Hutchison, Swayne. Lewis.

By Senator Yoakum:

Amend by adding the followind proviso to section 1: "Provided that this act shall not apply to counties that have been created for more than six years before the passage of this act."

By Senator Dean:

Amend the amendment by inserting "eight" in lieu of "six."

Senator Yoakum accepted the amendment.

By Senator Lawhon:

Substitute the amendment as

amended. Add to section I:

"Provided that this act shall not apply to any county that has been created more than ten years prior to its passage."

Senator Dean accepted the substi-

By Senator Baldwin:

Substitute the substitute as follows: Amend by adding the following:

"Provided, that no suit shall be brought against any county organized for more than two years prior to the taking effect of this act."

Lost.

The first substitute was then lost.

By Senator Baldwin:

Amend by striking out the enacting clause.

Senator Imboden moved to table the amendment.

Tabled.

By Senator Atlee:

Amend by adding to sction 2:

"Provided, in any such suit the value of all public buildings within the old and the new county at the time of creation of the new county shall be estimated and the value thereof shall be deducted from the values as shown by the tax rolls, and the liability of the new county shall then be ascertained as provided in section 1."

Senator Dean moved to table the

amendment. Tabled.

HOUSE MESSAGES.

House of Representatives, Austin, Texas, March 6, 1893.

Hon. M. M. Crane, President of the Senate: SIR: I am directed by the House to inform the Senate of the passage by the House of the following bill to-wit:

Senate bill No. 107, "An act to restore to the county court of Tyler county civil and criminal jurisdiction," the motion to reconsider having been laid on the table.

Also that the House refuses to concur in Senate amendments to House bill No. 564, "An act to change the times of holding courts in the Second and Ninth judicial districts," and asks for the appointment of a free conference committee, and the House appoints Messrs. Truit, Rogau, Peck, Newton and Bayne as such committee on the part of the House.

Respectfully,

GEO. W. FINGER, Chief Clerk House of Representatives.

Senator Imboden moved that the Senate insist upon its amendment to House bill No. 564, and that a free conference committee be granted.

Carried.

The chair announced the following members of said committee on part of the Senate to-wit: Senators Imboden, Boren, Greer, McComb and Atlee.

Pending further action, on motion of Senator Greer, Senate Bill No. 206, entitled "An act to amend article 576, title 20, chapter 3, of the Revised Civil Statutes of the State of Texas," was made special order for Thursday, March the 9, after call.

IN SENATF.

Substitute House bills Nos. 30, 115, etc., "An act to provide for the more

efficient system of public free schools for the State of Texas; defining the school funds; providing for the investment of the permanent fund, and the apportionment of the available fund; defining the duties of certain State officers in reference to the public free schools; creating the offices of State and county superintendents, providing for their election and salary, and prescribing their qualifications and duties; prescribing the duties of other officers in reference to public schools and public school funds, making county judges ex-officio county superintendents in all counties not having county superintendents and providing for their compensation; provid-ing for the election of school trustees and prescribing their qualifications and duties; providing for the creation of school districts in all the counties of this State; providing for the levy and collection of special taxes for the further maintenance of the public free schools and the erection of school houses, providing for boards of examiners and the issuance of teachers' certificates, providing for compensa-tion and prescribing the duties of teachers employed thereunder, and preventing the altering or changing of teachers' certificates; regulating the transfer of the school fund, fixing the scholastic age, providing for taking the scholastic census, authorizing trustees to administer oaths, and providing penalties for refusal to answer questions in regard to the age of children and other penalties for violations of the provisions of this act; repealing all laws and parts of laws in conflict with the provisions of this act and declaring an emergency with the accompanying engrossed rider.

Read first time and referred to Com-

mittee on Education.

Senator Crowley moved to adjourn

to 10 a. m. to morrow.

Adjourned by the following vote.

YEAS-14.

Agnew, Greer,
Atlee, Imboden,
Browning, Jester,
Cranford, McComb,
Crowley, Presler,
Dean, Shelburne,
Goss, Simpson.

NAYS-12.

Baldwin, McKinney,
Boren, Steele,
Tips,
Douglass, Whitaker.
Kearby, Woods,
Lawhon, Yoakum.

EXCUSED-5.

Dickson, Hutchison, Lewis,

Smith, Swayne.

FORTY-EIGHTH DAY.

SENATE CHAMBER, AUSTIN, TEXAS, March 7, 1893. Senate met pursuant to adjournment.

President Pro Tem Kearby in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

PRESENT-26.

Imboden, Agnew. Atlee, Jester, Baldwin, Kearby Boren, Lawhon, Bowser, Lewis, McKinney, Browning, Cranford, Presler, Crowley, Shelburne, Dean, Simpson, Dickson, Steele. Tips, Douglass, Goss. Woods. Greer, Yoakum.

ABSENT-2.

McComb,

Whitaker.

EXCUSED-3.

Hutchison, Smith, Swayne.

Prayer by the chaplain, Dr. Briggs, as follows:

Heavenly Father, redeem our prayer from formality. May it be the coming into Thy presence, in simple and earnest fashion, of men who honestly desire to do Thy will, and to make all their words and deeds an honor to the State and a blessing to their fellow-citizens. Help us to see that if our prayers be not this earnest and honest approach to Thee, then are they but the babbling of fair, yet foolish dreams, poured forth into nothing and going nowhere. Save us from this folly, we pray Thee, and to Thy great name be praise and honor, now and always, Amen.

Pending the reading of the journal

of yesterday,

On motion of Senator McKinney, the reading of the same was suspended.

On motion of Senator Imboden, the journal of yesterday was corrected to show the true caption of House bill No. 564, as follows:

"House bill No. 564, entitled an act to amend an act approved July 4,